



City of Taunton

Board of Health

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Taunton Board of Health Residential and Commercial Waste Hauler Regulations

The Taunton Board of Health hereby adopts the following regulations under the Provisions of Chapter 111, Section 31 of the Massachusetts General Laws, as amended. Except as may be otherwise noted, these regulations shall take effect on March 1, 2022

Section I. Scope of Authority

The Taunton Board of Health adopts the following regulation pursuant to authorization granted by M.G.L. c 111 s. 31. The regulation shall apply, as specified herein, to all applicable residents and businesses, existing and new, within the City of Taunton.

Section II. Purpose of the Regulation

These regulations are intended to preserve the public and environmental health and are designed to keep banned recyclable materials and certain toxic materials out of the solid waste stream. They also prohibit certain toxic materials that may adversely affect the environment when land filled or incinerated.

Section III. Applicability

These regulations shall apply throughout the City of Taunton.

Section IV. Definitions

For the purpose of this regulation, the following words and phrases shall have the following meanings:

- A. Solid Waste shall mean useless, unwanted or discarded solid material, resulting from municipal or household activities that is abandoned by being disposed or incinerated or is stored, treated or transferred pending such disposal, not including any hazardous waste, special wastes.
- B. Special Waste shall mean a solid waste that requires special handling (i.e. demolition/construction material) or disposal techniques or methodologies to protect the public health or safety or the environment.
- C. Hazardous Waste shall mean any waste that is defined and regulated under 310 CMR 30.00:
- D. Leaf and Yard Waste shall mean any deciduous and coniferous seasonal deposition, grass clippings, weeds, hedge clippings, garden materials and brush.
- E. Facility shall mean a licensed solid waste resource recovery plant, transfer station or approved sanitary landfill.
- F. Licensee shall mean any person(s) or company, which has applied for and obtained the appropriate license to collect solid waste within the limits of the City of Taunton.

- G. Refuse collection vehicle shall mean any vehicle used for the delivery of solid waste. Said vehicle shall be in a safe, clean condition and in good repair, and appropriately marked identifying the haulers name and place of business.
- H. Recyclables: Set by the Department. Glass containers, aluminum, metal containers and newspapers. Glass containers as defined shall be made of clear, brown or green glass, and shall exclude blue and flat glass (commonly known as window glass), dishes, pottery and crockery. Aluminum as defined shall include cans, but exclude foil and containers or trays used in the packaging of food. Metal containers as defined shall be made entirely of ferrous metal (iron or steel) and may exclude all pressurized cans and cans which have contained hazardous materials. Paper, cardboard and paperboard products including newspaper as defined shall mean unsoiled newsprint, including newspaper advertisements, supplements, comics, enclosures, magazines, catalogues and telephone books.
- I. Rubbish: Refuse including trash and garbage free of restricted materials and recyclables.
- J. Restricted Materials: Lead Batteries, Leaves, Tires, White Goods, Other Yard Waste, Aluminum Containers, Metal or Glass Containers, Single Polymer Plastics, Recyclable Paper, Cathode Ray Tubes, Asphalt Pavement, Brick and Concrete, Metal and Wood.
- K. Department: The Massachusetts Department of Environmental Protection.

Section V. Regulation and Permitting

General

- A. Any person or company engaged in the collection of solid waste shall obtain a license from the City of Taunton and shall collect household rubbish; non-recyclable paper, garbage and other permitted solid waste materials from residential households and municipal establishments in the City of Taunton. Solid waste collected will be brought to a Department of Environmental Protection (DEP) approved solid waste disposal facility.
- B. Owner/Manager of a property shall be responsible for immediate removal of all rubbish and/or recyclables placed on or near the side of a street for collection which does not comply with the rules and regulations of the Taunton Board of Health. Failure to remove within 24 hours shall result in a fine being issued.
- C. No person shall willfully or maliciously disturb or handle the contents of or tip over or upset any container placed for the collection of rubbish.
- D. The *licensee* shall provide Integrated Solid Waste Services to allow compliance with the DEP solid waste bans, and the Health Department solid waste bans by the effective date of those bans, and any other item deemed feasible by the Health Department. Including but not limited the following items.

Material	Effective date of Ban
Lead acid batteries	12/31/90
Leaves, tires & white goods	12/31/91
Other yard waste	12/31/92 extended to 4/1/93
Metal and glass containers	12/31/92 extended to 4/1/93
Single polymer plastics	12/31/94
Recyclable paper	12/31/94
Flattened cardboard	12/31/94
#4-7 Plastics	4/1/97
Electronics	7/1/99
Clothing	7/1/99

In order to encourage recycling, all licensed solid waste disposal/recycling companies serving residential, municipal and commercial/industrial customers in the City of Taunton shall provide customers with an approved recycling service consisting of a recycling collection, minimum bi-monthly (twice a month). These services for the collection and disposal of both solid waste and recyclables may be charged at a single flat fee or, as appropriate, charged separately.

Licensing procedure

- A. All persons collecting solid wastes in the City of Taunton shall obtain a license from the Health Department prior to commencing with its collection.
- B. At the time of application or as otherwise specified, the *licensee* shall submit to the Health Department the following information:
 1. A completed application form.
 2. A non-refundable application fee set by the Health Department for each vehicle. One hundred dollars (\$150.00) per vehicle.
 3. A list of the residential, municipal and commercial/industrial customers serviced by the collection shall be supplied yearly.
 4. A description of the collection vehicle(s) to be used, including the make, model, registration, year, type and size of compactor, and the company name appearing on the vehicle(s).
 5. An exact figure of the tonnage of refuse and recyclables that have been collected from residential/commercial sites submitted to the Health Department yearly, on company letterhead signed by company representative.
- C. The Health Department requires all vehicles collecting solid waste in Taunton to have a valid City of Taunton Waste Hauler Sticker thereon indicating they are licensed in Taunton.
- D. A *licensee* has the right to appear before the Health Department for a hearing to discuss its application by making written request to the Department.

Insurance

- A. Each applicant shall furnish the Health Department with certificates from an insurance company, licensed to do business in the Commonwealth of Massachusetts showing the applicant carries public liability and property insurance. Certificates of insurance shall be furnished each year upon the renewal of the license.
- B. The applicant shall make certain that the above insurance policy is not cancelled prior to notification of the Health Department. This notification shall be not less than (30) days prior to the cancellation.

Operation Procedures

- A. The *license* shall expire on December 31st following the date of issue unless sooner revoked and shall be renewable annually on the first day of January subject to the appropriate fees paid and review and approval of the application by the Health Department prior to December 31st.
- B. Applications are due by November 30th and any applications received after this date will be subject to a late fee of \$50.00.
- C. No license shall be transferable except with the approval of the Health Department.
- D. The *licensee* shall deliver all solid waste collected within the corporate limits of Taunton to a licensed solid waste resource recovery plant, transfer station or approved sanitary landfill.
- E. The *licensee* shall provide recycling service to allow compliance with the DEP solid waste bans, and the Health Department bans by the effective dates of those bans.
- F. All recyclables must be collected at a minimum bi-monthly (twice a month). *Licensees* are required to collect both paper products and co-mingled (glass/plastic/metal) at each pickup.
- G. The *licensee* shall take all reasonable care in the collection of refuse. Refuse shall not be scattered about the streets or onto private property. Refuse, which is spilled, shall be immediately picked up by the *licensee* and removed with other wastes. Failure to comply may result in fines as listed in the City's Garbage Trash and Refuse Ordinances
- H. The Health Department reserves the right to inspect collection vehicles and loads at reasonable times in order to ensure that they comply with all applicable state and local laws, by-laws and regulations.
- I. Any violation of these regulations or any other applicable laws or regulations by the *licensee* will be grounds for suspension, modification or revocation of said license.
- J. The *licensee* may enter into contractual agreements with: commercial/industrial units, exempt units containing eight (8) or more units or units under special request by the Health Department, within the City of Taunton, provided that these customers are responsible for all fees (pickup, transportation and disposal) and that they follow the recycling guideline outlined in these regulations.
- K. The individuals empowered to enforce the provisions of these regulations shall be the Agent of the Health Department and any member of the Department, Police Officer of the City, or designee of the City of Taunton Department of Public Works.
- L. *Licensees* are required to provide their customers with a list of acceptable waste types and recyclables according to sections 3 and 4 of these regulations and with a list or description of proper packaging or bundling methods.
- M. The *licensee* shall pick up from residential and industrial units within the city limits between the hours of 7:00am and 8:00pm.
- N. The *licensee* shall provide receptacles and maintain them in a clean insect resistant manner free from odors, leaks, rodents and insects.
- O. The *licensee* shall provide to the Board of Health within 30 days any new customers acquired throughout the year.

Indemnification

- A. *Licensees* may enter into arrangements for the collection of refuse and recyclables with trailer parks, condominium units, and residential apartment complexes in excess of eight (8) units and commercial/industrial customers of the City. The *licensee* will be paid directly by the customer. The City shall have no liability for payment to the *licensee* for any residential or commercial/industrial collection and disposal work that is not included in the City's contract.
- B. The *licensee* shall take all responsibility for the work and take all reasonable precautions for preventing injuries to persons or damage to property; shall bear all losses resulting to the collection company on account of the quantity or character of the work; shall

indemnify and hold harmless the City of Taunton, its officers, agents and servants from all claims relating to labor and materials furnished to do the work, and for all injuries to any person or corporation received or sustained by or from the *licensee* and its employees doing the work, in consequence of any improper materials, implements or labor used therein: and to any act, omission or neglect of the *licensee* and its employees.

- C. The *licensee* agrees to indemnify the City for any liability that may arise from the improper treatment, storage or disposal of hazardous wastes collected within the City.

Suspension, Modification or Revocation of licenses:

Any refuse/recycling collection *license* may be suspended, modified or revoked by the Health Department. Upon receipt of evidence satisfactory to the Department that the *licensee* has not conformed to the requirements of these regulations or to any applicable state or federal statute, regulation, rule or order regarding the transportation or disposal of solid waste concerning the collection and disposal of rubbish. Appeals of any such suspension, modification or revocation may be directed to the Health Department within ten (10) business days of said suspension, modification or revocation.

Section VI Enforcement

Enforcement of this regulation shall be by criminal complaint in the district court and/or non-criminal disposition ticket M.G.L. Chapter 40, § 21D. Agents of the Board of Health, Police Officer of the City, or designee of the City of Taunton Department of Public Works shall have the power to enforce the provisions of this regulation. The City shall also have the option of seeking equitable relief to enjoin violations of the rules and regulations of the Board of Health.

Section VII Penalties

Violations of these regulations shall be punished by fines as listed in the City's Garbage Trash and Refuse Ordinances

Haulers found in violation will be issued a warning as a first offense. Second offense is suspension of Waste Hauler Permit for the year. Third offense is the permanent loss of the Waste Hauler Permit.

Each day of failure to comply with the regulations shall constitute a separate violation.

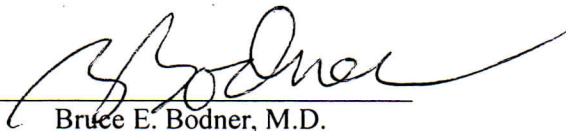
Effective Date:

The City of Taunton Board of Health, in accordance with, and under the authority granted by Section 31 of Chapter 111 of the General Laws of the Commonwealth of Massachusetts Hereby adopted the following rules and regulations at a meeting of the Board held on

_____.



Joseph F. Nates, M.D.



Bruce E. Bodner, M.D.



C. Nason Burden, M.D.

Adopted FEBRUARY 7, 2012

A true copy.

Attest:



City Clerk